

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 1076 of
2026

In F/MISC. CIVIL APPLICATION/5639/2026
In F/FIRST APPEAL/12417/2025

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SITABEN WD/O GANPATBHAI DHIRABHAI NAYAK & ORS.
Versus
PRAKASHBHAI C PATEL & ANR.

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Appearance:
MR SOHIL S DADI(12049) for the Applicant(s) No. 1,2,3,4,5,6

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CORAM:HONOURABLE MR.JUSTICE MOOL CHAND TYAGI

Date : 13/03/2026

ORAL ORDER

1. Heard learned counsels for the applicant.
2. The present application has been preferred for seeking condonation of delay of 153 days caused in preferring the application for restoration F/First Appeal No.12417 of 2025 preferred against the impugned judgment and award dated 30.12.2024 passed by the learned Motor Accident Claims Tribunal (Aux.) Panchmahals at Godhra, in M.A.C.P. No. 604 of 2005.
3. Learned counsel for the applicant submitted that the delay of 153 days has occasioned in preferring the restoration application, owing to the poverty of the applicants, as they could not arrange the necessary Court Fee and other expenses to prefer the application within the period of limitation. He further submitted that the delay is neither intentional nor malafide, but has occasioned owing to the reasons mentioned in detail at para nos. 2 to 3 of the instant application.

4. Having considered the submissions of the learned counsel for the applicant and having regard to the ground pressed into service, in my considered opinion, constitutes a sufficient ground for condoning the delay. Accordingly, the delay in preferring the restoration application is hereby condoned.

5. In view of the above, the present Civil Application stands disposed of. No order as to costs.

ARUN

(MOOL CHAND TYAGI, J)

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: ARUN B(HC02368), ENGLISH STENO GRADE-II\, at High Court of Gujarat on 18/03/2026 14:18:44